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27 KEVIN COCHRANE

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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3
4 SAN FRANCISCO DIVISION

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6 KEVIN COCHRANE, an individual,

7 Case No. 4:15-cv-01234-WHA

8 Petitioner,
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10 v.
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12 OPEN TEXT CORPORATION, a Canadian
13 corporation and OPEN TEXT INC., a
14 Delaware corporation,

15 STIPULATION AND [PROPOSED] ORDER
16 RE: PETITION TO CONFIRM
17 ARBITRATION AWARD AND MOTION TO
18 VACATE ARBITRATION AWARD

19 Courtroom: 8 – 19th Floor
20 Judge: Hon. William Alsup

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Respondents.

1 Pursuant to Civil Local Rules 6-1(a), 6-1(b), 6-2 and 7-12, Petitioner Kevin Cochrane
 2 (“Petitioner”) and Respondents Open Text Corporation and Open Text Inc. (“Respondents”)
 3 (Petitioner and Respondents, collectively, the “Parties”), by and through their respective counsel
 4 of record, hereby stipulate as follows:

5 **WHEREAS**, on or about March 16, 2015, Petitioner filed a Petition to Confirm Arbitration
 6 Award and Enter Judgment against Respondents (Dkt. No. 1);

7 **WHEREAS**, on or about March 30, 2015, Petitioner filed an Amended Petition to Confirm
 8 Arbitration Award and Enter Judgment against Respondents (the “Petition”) (Dkt. No. 4);

9 **WHEREAS**, on or about April 17, 2015, the Court set an Initial Case Management
 10 Conference for June 18, 2015 (the “CMC”) (Dkt. No. 17);

11 **WHEREAS**, the Parties have agreed that the last day for Respondents to answer the Petition
 12 is April 24, 2015;

13 **WHEREAS**, Respondents intend to file an Answer to the Petition (the “Answer”) and a
 14 Motion to Vacate the Arbitration Award on April 24, 2015 (the “Motion”);

15 **WHEREAS**, the Parties have agreed that Respondents will notice the Motion for hearing on
 16 June 11, 2015 at 8:00 a.m. (the “Hearing”);

17 **WHEREAS**, the Parties have agreed to modify the standard briefing schedule as set forth
 18 below; and

19 **WHEREAS**, because the resolution of the issues raised in the Petition and the Motion are
 20 expected to fully and finally resolve all issues raised in this proceeding, in the interest of judicial
 21 economy, the Parties stipulate and agree and mutually request that the Court advance the CMC
 22 from June 18, 2015 to June 11, 2015 at 8:00 a.m., so that it may be held at or immediately
 23 following the Hearing.

24 **THEREFORE, IT IS HEREBY STIPULATED** by and between the Parties that:

25 1. The Parties will brief the Motion on the following schedule:

26 (a) Last day for Respondents to file the Motion: April 24, 2015;

27 (b) Last day for Petitioner to file opposition to the Motion: May 14, 2015; and

28 (c) Last day for Respondents to file any reply in support of the Motion:

1 May 28, 2015.

2 2. The Parties mutually request that the Court advance the CMC from June 18, 2015
3 to June 11, 2015, so that it may be held at or immediately following the Hearing on Respondents'
4 Motion.

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6 **IT IS SO STIPULATED.**

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8 Dated: April 24, 2015

SKAGGS FAUCETTE LLP

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/s/ Jeffrey E. Faucette

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Jeffrey E. Faucette

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Attorneys for Petitioner KEVEN COCHRANE

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Dated: April 24, 2015

COOLEY LLP

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/s/ Patrick Gunn

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Patrick Gunn (172258)

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Attorneys for Respondents

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OPEN TEXT CORPORATION and

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OPEN TEXT Inc.

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21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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23 Dated: April 27, 2015



Hon. William Alsup

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